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16 CHEN SONG

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

v.

CHEN SONG,

Defendant.

CASE NO. 3:21-cr-00011 WHA

**DEFENDANT CHEN SONG'S REPLY TO  
GOVERNMENT'S RESPONSE TO DEFENDANT'S  
REQUEST TO FILE SUPPLEMENTAL AUTHORITY**

Dept: Courtroom 12 – 19th Floor  
Judge: District Judge William Alsup

Date Filed: January 7, 2021  
Trial Date: Not yet set

Defendant Chen Song respectfully requests that the Court strike the government's Response to Request to File Supplemental Authority, filed as ECF 121, for violation of Civil Local Rule 7-3(d)<sup>1</sup>, because it improperly presents legal argument and new caselaw. The arguments made in ECF 121 were not presented in the government's briefing or at oral argument, and the cases the government cites were issued before the briefing and oral argument and not previously cited.<sup>2</sup>

Dated: June 3, 2021

## SWANSON & McNAMARA LLP

By:/s/  
Edward W. Swanson

Attorney for Defendant  
**CHEN SONG**

Dated: June 3, 2021

COOLEY LLP

By:/s/  
John H. Hemann

Attorney for Defendant  
**CHEN SONG**

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<sup>1</sup> This rule applies in criminal cases pursuant to Criminal Local Rule 2-1.

<sup>2</sup> Should the Court decide to consider this new argument and caselaw, Dr. Song respectfully requests an opportunity to respond to the government's filing.